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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, FEBRUARY 13, 2018**

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# JOURNAL OF THE SENATE

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THIRTY-SEVENTH CALENDAR DAY  
TWENTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 13, 2018

The Senate met in regular session at 9:00 a.m., President Whitver presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Haley Ledford.

The Journal of Monday, February 12, 2018, was approved.

## ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:05 a.m. until 9:00 a.m., Wednesday, February 14, 2018.

## APPENDIX

### CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Nicole Frisbie, Muscatine—For earning the Gold Award in Girl Scouting. Senator Lofgren.

Cassidy Kolwey, Walcott—For earning the Gold Award in Girl Scouting. Senator Lofgren.

## REPORTS OF COMMITTEE MEETINGS

## AGRICULTURE

**Convened:** Tuesday, February 13, 2018, 10:00 a.m.

**Members Present:** Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Hart, Kapucian, Ragan, Rozenboom, and Shipley.

**Members Absent:** Costello, Edler, Segebart, and Taylor (all excused).

**Committee Business:** Distributed subcommittee assignments.

**Adjourned:** 10:05 a.m.

## COMMERCE

**Convened:** Tuesday, February 13, 2018, 11:05 a.m.

**Recessed:** 11:10 a.m.

**Reconvened:** 12:20 p.m.

**Members Present:** Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

**Members Absent:** None.

**Committee Business:** Passed SSBs 3093 3160, 3165, all as amended.

**Adjourned:** 1:05 p.m.

## HUMAN RESOURCES

**Convened:** Monday, February 12, 2018, 4:05 p.m.

**Members Present:** Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

**Members Absent:** None.

**Committee Business:** Approved [SF 2092](#), as amended. Presentation by Richard Shults.

**Adjourned:** 5:05 p.m.

## JUDICIARY

**Convened:** Monday, February 12, 2018, 5:00 p.m.

**Members Present:** Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

**Members Absent:** None.

**Committee Business:** Passed SSBs 1177, 3008, and 3143; and approved SFs 2050 and 2153; and [SJR 2003](#).

**Adjourned:** 6:10 p.m.

**ALSO:**

**Convened:** Tuesday, February 13, 2018, 2:00 p.m.

**Members Present:** Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 2:45 p.m.

#### LOCAL GOVERNMENT

**Convened:** Tuesday, February 13, 2018, 3:00 p.m.

**Members Present:** Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, McCoy, Quirnbach, and Segebart.

**Members Absent:** None.

**Committee Business:** Passed [SSB 3140](#).

**Adjourned:** 3:10 p.m.

#### NATURAL RESOURCES AND ENVIRONMENT

**Convened:** Tuesday, February 13, 2018, 1:10 p.m.

**Members Present:** Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Behn, Carlin, Greene, Hart, D. Johnson, Kapucian, Kinney, Kraayenbrink, and Lykam.

**Members Absent:** Bertrand (excused).

**Committee Business:** Passed SSBs 3091 and 3108, both as amended.

**Adjourned:** 1:30 p.m.

**TRANSPORTATION**

**Convened:** Monday, February 12, 2018, 4:00 p.m.

**Members Present:** Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

**Members Absent:** None.

**Committee Business:** Passed [SSB 3147](#); and approved [SF 2037](#).

**Adjourned:** 4:45 p.m.

**INTRODUCTION OF RESOLUTION**

[Senate Joint Resolution 2007](#), by committee on Judiciary, a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

**INTRODUCTION OF BILLS**

[Senate File 2263](#), by Brown, a bill for an act creating the criminal offense of sexual exploitation of a student with a developmental disability by a college employee, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 2264](#), by D. Johnson, a bill for an act authorizing counties to adopt county legislation relating to the regulation of confinement feeding operations to preserve drinking water sources, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 2265](#), by Schneider, a bill for an act expanding the practice of cosmetology to include shaving or trimming a beard.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 2266](#), by Carlin, a bill for an act establishing a homestead adjustment property tax credit for certain property of persons who have attained the age of sixty-five or who are totally disabled, applying income limitations, providing a penalty, making appropriations, and including retroactive and other applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 2267](#), by Chapman, a bill for an act relating to the operation and use of urban renewal areas and urban revitalization areas and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 2268](#), by Hart, a bill for an act requiring practitioners to discuss the dangers of opioid abuse with patients.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 2269](#), by Hart, a bill for an act providing for a feasibility study regarding the establishment of a modern working farm tourist attraction and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 2270](#), by Bertrand, a bill for an act concerning public employee organization elections conducted by the public employment relations board and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 2271](#), by committee on Transportation, a bill for an act relating to motor carriers, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2272](#), by committee on Education, a bill for an act relating to community college accreditation.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2273](#), by committee on Education, a bill for an act relating to the conditions for which a student enrolled in grades one through twelve may be excused from physical education requirements.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2274](#), by committee on Education, a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2275](#), by committee on Commerce, a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2276](#), by committee on Education, a bill for an act relating to the posting by public schools of the department of human services' child abuse hotline telephone number.

Read first time under Rule 28 and **placed on calendar**.

#### STUDY BILLS RECEIVED

[SSB 3179](#)      **Education**

Establishing requirements relating to the use and identification of open educational resources by postsecondary educational institutions.

[SSB 3180](#)      **Education**

Providing for a dyslexia response task force and report.

[SSB 3181](#)      **Education**

Specifying procedures for boundary changes involving the severance from and attachment of territory to a school district by petition and election.

[SSB 3182](#)      **Judiciary**

Relating to the appointment of a special prosecutor after a peace officer discharges a firearm while on duty that results in a bodily injury, serious injury, or death.

[SSB 3183](#)      **Judiciary**

Relating to the boards of directors of public corporations, and including effective date provisions.

[SSB 3184](#)      **Human Resources**

Relating to the substitute decision maker Act.

**SSB 3185 Human Resources**

Relating to the programs and services under the purview of the department on aging.

**SSB 3186 Transportation**

Allowing pickups to be used as school buses.

**SSB 3187 Judiciary**

Providing for juvenile court jurisdiction over minor guardianship proceedings.

**SSB 3188 State Government**

Relating to the expenditure of public funds and funds held in trust by statewide elected officials, members of the general assembly, or local officials on certain forms of advertisement and imposing penalties.

**SSB 3189 Labor and Business Relations**

Relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions.

**SSB 3190 Labor and Business Relations**

Relating to the duties of the department of workforce development regarding criminal history checks and certain state unemployment insurance law matters and including effective date provisions.

**SSB 3191 State Government**

Relating to the conduct of election activities, including the sending of certain electronic messages, ballot arrangement for certain partisan offices, and imposing penalties.

**SSB 3192      **Transportation****

Relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2211**

COMMERCE: Feenstra, Chair; Allen and Sinclair

**Senate File 2217**

APPROPRIATIONS: Schneider, Chair; Dotzler and Kraayenbrink

**Senate File 2218**

LOCAL GOVERNMENT: Guth, Chair; Chelgren and Hogg

**Senate File 2220**

JUDICIARY: Schultz, Chair; Petersen and Sinclair

**Senate File 2223**

EDUCATION: Sinclair, Chair; Chelgren and Dvorsky

**Senate File 2224**

JUDICIARY: Schultz, Chair; Bisignano and Dawson

**Senate File 2225**

APPROPRIATIONS: Lofgren, Chair; Dotzler and C. Johnson

**Senate File 2253**

EDUCATION: Kraayenbrink, Chair; Bowman and Lofgren

**Senate File 2254**

JUDICIARY: Shipley, Chair; Garrett and Kinney

**Senate File 2259**

HUMAN RESOURCES: Chelgren, Chair; Mathis and Segebart

[Senate File 2261](#)

LOCAL GOVERNMENT: Guth, Chair; Hogg and Segebart

[Senate File 2266](#)

WAYS AND MEANS: Feenstra, Chair; McCoy and Schultz

[Senate File 2267](#)

WAYS AND MEANS: Feenstra, Chair; Brown and Quirmbach

[Senate File 2269](#)

AGRICULTURE: Costello, Chair; Hart and Kapucian

[Senate File 2270](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Chapman

[SSB 3168](#)

(Reassigned)

HUMAN RESOURCES: Shipley, Chair; Costello and Quirmbach

[SSB 3175](#)

(Reassigned)

STATE GOVERNMENT: Smith, Chair; Brown and Jochum

[SSB 3179](#)

EDUCATION: Kraayenbrink, Chair; Dvorsky and Edler

[SSB 3180](#)

EDUCATION: Sinclair, Chair; C. Johnson and Quirmbach

[SSB 3181](#)

EDUCATION: Chelgren, Chair; Greene and Hogg

[SSB 3182](#)

JUDICIARY: Zaun, Chair; Kinney and Shipley

[SSB 3183](#)

JUDICIARY: Schneider, Chair; Boulton and Sinclair

[SSB 3184](#)

HUMAN RESOURCES: Costello, Chair; Quirnbach and Segebart

[SSB 3185](#)

HUMAN RESOURCES: Costello, Chair; Ragan and Segebart

[SSB 3186](#)

TRANSPORTATION: Brown, Chair; Bowman and Zumbach

[SSB 3187](#)

JUDICIARY: Garrett, Chair; Petersen and Sinclair

[SSB 3188](#)

STATE GOVERNMENT: Smith, Chair; Brown and Dvorsky

[SSB 3189](#)

LABOR AND BUSINESS RELATIONS: Brown, Chair; Dotzler and Guth

[SSB 3190](#)

LABOR AND BUSINESS RELATIONS: Brown, Chair; Dotzler and Guth

[SSB 3191](#)

STATE GOVERNMENT: Chapman, Chair; Bisignano and Feenstra

[SSB 3192](#)

TRANSPORTATION: Breitbach, Chair; Brown and Danielson

## FINAL COMMITTEE REPORTS OF BILL ACTION

### COMMERCE

**Bill Title:** \*[SENATE FILE 2275 \(SSB 3129\)](#), a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on [Senate File 2275](#), and they were attached to the committee report.

## EDUCATION

**Bill Title:** [SENATE FILE 2272 \(SSB 3088\)](#), a bill for an act relating to community college accreditation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### ALSO:

**Bill Title:** [SENATE FILE 2273](#) (formerly [SF 2174](#)), a bill for an act relating to the conditions for which a student enrolled in grades one through twelve may be excused from physical education requirements.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### ALSO:

**Bill Title:** [SENATE FILE 2274 \(SSB 3001\)](#), a bill for an act requiring the department of education to include references to state or federal statutory or regulatory provisions necessitating the inclusion of information in reports filed with the department.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Sinclair, Edler, Behn, Bowman, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 4: Danielson, Dvorsky, Hart, and Hogg. Present, 1: Quirnbach. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### ALSO:

**Bill Title:** [SENATE FILE 2276](#) (formerly [SF 2160](#)), a bill for an act relating to the posting by public schools of the department of human services' child abuse hotline telephone number.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### JUDICIARY

**Bill Title:** [SENATE JOINT RESOLUTION 2007](#) (formerly [SJR 2003](#)), a joint resolution opposing a law of this state relating to the revocation, suspension, issuance, or reinstatement of driver's licenses to convicted drug offenders, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### TRANSPORTATION

**Bill Title:** [SENATE FILE 2037](#), a bill for an act relating to the minimum standard of transparency for motor vehicle window tint, providing penalties, and making penalties applicable.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Carlin. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** [SENATE FILE 2271](#) ([SSB 3147](#)), a bill for an act relating to motor carriers, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Kapucian, Breitbach, Bowman, Bertrand, Bisignano, Brown, Carlin, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Danielson. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.